

ERIE COUNTY LEGISLATURE
MEETING NO. 11
JUNE 9, 2016

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Mills, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Loughran.

Item 1 - CHAIR MILLS directed that INTRO. 10-1 (2016) remain on the table.

GRANTED.

Item 2 - CHAIR MILLS directed that INTRO. 10-2 (2016) remain on the table.

GRANTED.

Item 3 - CHAIR MILLS directed that INTRO. 10-3 (2016) remain on the table.

GRANTED.

Item 4 - CHAIR MILLS directed that INTRO. 10-4 (2016) remain on the table.

GRANTED.

Item 5 - CHAIR MILLS directed that INTRO. 10-5 (2016) remain on the table.

GRANTED.

Item 6 - CHAIR MILLS directed that INTRO. 10-6 (2016) remain on the table.

GRANTED.

Item 7 - CHAIR MILLS directed that INTRO. 10-7 (2016) remain on the table.

GRANTED.

Item 8 - CHAIR MILLS directed that INTRO. 10-8 (2016) remain on the table.

GRANTED.

Item 9 - CHAIR MILLS directed that INTRO. 10-9 (2016) remain on the table.

GRANTED.

Item 10 - CHAIR MILLS directed that INTRO. 10-10 (2016) remain on the table.

GRANTED.

Item 11 - CHAIR MILLS directed that INTRO. 10-11 (2016) remain on the table.

GRANTED.

Item 12 - CHAIR MILLS directed that INTRO. 10-12 (2016) remain on the table.

GRANTED.

Item 13 - CHAIR MILLS directed that INTRO. 10-13 (2016) remain on the table.

GRANTED.

Item 14 - CHAIR MILLS directed that INTRO. 10-14 (2016) remain on the table.

GRANTED.

Item 15 - CHAIR MILLS directed that INTRO. 10-15 (2016) remain on the table.

GRANTED.

Item 16 - CHAIR MILLS directed that INTRO. 10-16 (2016) remain on the table.

GRANTED.

Item 17 - CHAIR MILLS directed that INTRO. 10-17 (2016) remain on the table.

GRANTED.

Item 18 - CHAIR MILLS directed that INTRO. 10-18 (2016) remain on the table.

GRANTED.

Item 19 - CHAIR MILLS directed that INTRO. 10-19 (2016) remain on the table.

GRANTED.

Item 20 - CHAIR MILLS directed that INTRO. 10-20 (2016) remain on the table.

GRANTED.

Item 21 - CHAIR MILLS directed that INTRO. 10-21 (2016) remain on the table.

GRANTED.

Item 22 - CHAIR MILLS directed that INTRO. 10-22 (2016) remain on the table.

GRANTED.

Item 23 - CHAIR MILLS directed that INTRO. 10-23 (2016) remain on the table.

GRANTED.

Item 24 - CHAIR MILLS directed that INTRO. 10-24 (2016) remain on the table.

GRANTED.

Item 25 - CHAIR MILLS directed that INTRO. 10-25 (2016) remain on the table.

GRANTED.

Item 26 - CHAIR MILLS directed that INTRO. 10-26 (2016) remain on the table.

GRANTED.

Item 27 - CHAIR MILLS directed that INTRO. 10-27 (2016) remain on the table.

GRANTED.

Item 28 - CHAIR MILLS directed that INTRO. 10-28 (2016) remain on the table.

GRANTED.

Item 29 - CHAIR MILLS directed that INTRO. 10-29 (2016) remain on the table.

GRANTED.

Item 30 - CHAIR MILLS directed that INTRO. 10-30 (2016) remain on the table.

GRANTED.

Item 31 - CHAIR MILLS directed that INTRO. 10-31 (2016) remain on the table.

GRANTED.

Item 32 - CHAIR MILLS directed that INTRO. 10-32 (2016) remain on the table.

GRANTED.

Item 33 - CHAIR MILLS directed that INTRO. 10-33 (2016) remain on the table.

GRANTED.

Item 34 - CHAIR MILLS directed that INTRO. 10-34 (2016) remain on the table.

GRANTED.

Item 35 - CHAIR MILLS directed that INTRO. 10-35 (2016) remain on the table.

GRANTED.

Item 36 - CHAIR MILLS directed that INTRO. 10-36 (2016) remain on the table.

GRANTED.

Item 37 - CHAIR MILLS directed that INTRO. 10-37 (2016) remain on the table.

GRANTED.

Item 38 - CHAIR MILLS directed that INTRO. 10-38 (2016) remain on the table.

GRANTED.

Item 39 - CHAIR MILLS directed that INTRO. 10-39 (2016) remain on the table.

GRANTED.

Item 40 - CHAIR MILLS directed that INTRO. 10-40 (2016) remain on the table.

GRANTED.

Item 41 - CHAIR MILLS directed that INTRO. 10-41 (2016) remain on the table.

GRANTED.

Item 42 - CHAIR MILLS directed that INTRO. 10-42 (2016) remain on the table.

GRANTED.

Item 43 - CHAIR MILLS directed that INTRO. 10-43 (2016) remain on the table.

GRANTED.

Item 44 - CHAIR MILLS directed that INTRO. 10-44 (2016) remain on the table.

GRANTED.

Item 45 - CHAIR MILLS directed that INTRO. 10-45 (2016) remain on the table.

GRANTED.

Item 46 - CHAIR MILLS directed that INTRO. 10-46 (2016) remain on the table.

GRANTED.

Item 47 - CHAIR MILLS directed that INTRO. 10-47 (2016) remain on the table.

GRANTED.

Item 48 - CHAIR MILLS directed that INTRO. 10-48 (2016) remain on the table.

GRANTED.

Item 49 - CHAIR MILLS directed that INTRO. 10-49 (2016) remain on the table.

GRANTED.

Item 50 - CHAIR MILLS directed that INTRO. 10-50 (2016) remain on the table.

GRANTED.

Item 51 - CHAIR MILLS directed that INTRO. 10-51 (2016) remain on the table.

GRANTED.

Item 52 - CHAIR MILLS directed that INTRO. 10-52 (2016) remain on the table.

GRANTED.

Item 53 - CHAIR MILLS directed that INTRO. 10-53 (2016) remain on the table.

GRANTED.

Item 54 - CHAIR MILLS directed that INTRO. 10-54 (2016) remain on the table.

GRANTED.

Item 55 - CHAIR MILLS directed that INTRO. 10-55 (2016) remain on the table.

GRANTED.

Item 56 - CHAIR MILLS directed that INTRO. 10-56 (2016) remain on the table.

GRANTED.

Item 57 – No items for reconsideration from previous meeting.

Item 58 – MR. LORIGO moved for the approval of the minutes for Meeting Number 10 from 2016. MR. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 59 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 60 – MS. DIXON & MR. BURKE presented a resolution Congratulating Anna Hartog for Being Honored for her Continued Service to Mount Mercy Academy and the South Buffalo Community at the 8th Annual MMA 5K Race.

Item 61 – MS. DIXON & MR. BURKE presented a resolution Congratulating Maggie Mulvaney for Being Honored with the Community Service Award for her Continued Service to Mount Mercy Academy and the South Buffalo Community at the 8th Annual MMA 5K Race.

Item 62 – MS. DIXON & MR. BURKE presented a resolution Congratulating Mark J.F. Schroeder for Being Honored for his Continued Service to Mount Mercy Academy and the South Buffalo Community at the 8th Annual MMA 5K Race.

Item 63 – MS. DIXON presented a resolution Congratulating the Hamburg Academy of Finance for Being Awarded the Prestigious Excellence in Action Award.

Item 64 – MR. HARDWICK presented a resolution Honoring Carol Golyski for Her Professional Achievements and Commitment to the Community.

Item 65 – MR. HARDWICK presented a resolution Congratulating John Kuschke, Boy Scout Troop 286, on Attaining the Rank of Eagle Scout.

Item 66 – MR. HARDWICK presented a resolution Congratulating Joseph Kuschke, Boy Scout Troop 286, on Attaining the Rank of Eagle Scout.

Item 67 – MR. HARDWICK presented a resolution Congratulating Paul Schmidt, Boy Scout Troop 286, on Attaining the Rank of Eagle Scout.

Item 68 – MS. MILLER-WILLIAMS presented a resolution Recognizing Dr. Chiquita Howard-Bostic for Work to Increase Diversity and Social Justice in the Community and Welcome Her to Buffalo.

Item 69 – MS. MILLER-WILLIAMS presented a resolution Congratulating the Buffalo United Front for their Great Work with the Youth in the City of Buffalo.

Item 70 – MS. MILLER-WILLIAMS presented a resolution Honoring the Buffalo Branch of the National Association for the Advancement of Colored People for Years of Service and Contributions to the Community.

Item 71 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-

WILLIAMS & MR. SAVAGE presented a resolution Honoring General Mills on its' 75 Years of Making Cheerios in Buffalo and the Company's Commitment to the Community.

Item 72 – MR. MILLS presented a resolution Congratulating Matthew Chiavetta, Boy Scout Troop 285, on Attaining the Rank of Eagle Scout.

Item 73 – MR. MILLS presented a resolution Congratulating Tanner McMullen, Boy Scout Troop 285, on Attaining the Rank of Eagle Scout.

Item 74 – MR. MORTON presented a resolution Congratulating Tim Kaufman on Completing the Buffalo Marathon and Being a Role Model for Perseverance.

MR. LORIGO moved for consideration of the above fifteen items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above fifteen items by adding one miscellaneous resolution for MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE, and to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above sixteen items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 75 – CHAIR MILLS directed that Local Law No. 2 (Print #3) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 76 – CHAIR MILLS directed that Local Law No. 2 (Print #4) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 77 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 78 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 79 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 80 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 81 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 82 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 83 – MS. DIXON presented the following report, moved for consideration to separate item Number 1, and moved to approve the balance of the report. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 99

June 2, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 9
--------------	---

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM 10E-12 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is seeking approval to execute contracts with community providers for the 2016 summer Primetime program; and

WHEREAS, the availability of local share funding provided in the 2016 adopted budget enable this program implementation; and

WHEREAS, Operation Primetime provides for an adult supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevent delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposal was distributed for this program and Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and the Commissioner of Social Services is hereby authorized to execute contracts with the following providers for Operation Primetime from available 2016 funds in fund center 12530, account 517749 (Operation Primetime) in the Youth Bureau:

AGENCY TO BE FUNDED	AMOUNT
Access of WNY	\$10,000
Ahowi Focus Group	\$6,426
Big Brothers Big Sisters of Erie County	\$10,000
Blossom Garden Friends School	\$7,500
Boy Scouts	\$7,500
Boys & Girls Club of Buffalo	\$10,000
Boys & Girls Club of East Aurora	\$10,000
Boys & Girls Club of Eden	\$7,500
Boys & Girls Club of Holland	\$8,750
Boys & Girls Club of Orchard Park	\$7,500
Boys & Girls Club of the Northtowns	\$8,750
Buffalo Arts & Technology Center	\$7,500
Buffalo Urban League	\$10,000
Child & Adolescent Treatment Services	\$10,000
Child & Adolescent Treatment Services [Detention]	\$5,000
Community Action Organization	\$8,750
Computers for Children	\$10,000
Concerned Ecumenical Ministry	\$8,750
Cornell Cooperative Extension of Erie County	\$7,500
Cradle Beach	\$10,000
Enlightenment Bookstore	\$7,500
F-Bites	\$5,000
Girl Scouts of WNY	\$10,000
Group Ministries	\$10,000
Jericho Road Community Health Center	\$7,500
Jewish Community Center	\$7,500
King Urban Life Center	\$7,500
Lackawanna Sports & Ed	\$7,500

Lackawanna Youth Bureau	\$10,000
Love Alive Fellowship Baptist Church	\$7,500
Massachusetts Avenue Project	\$7,500
Matt Urban Center	\$10,000
Metro CDC	\$10,000
Mt. Olive Baptist Church	\$10,000
Native American Community Services	\$7,500
North Buffalo CDC	\$10,000
Northwest Buffalo Community Center	\$10,000
Old 1st Ward Community Association	\$9,439
Parker Academy	\$5,747
Peace of the City Ministries	\$10,000
Plymouth Crossroads	\$4,226
Police Athletic League of Buffalo	\$5,000
Resource Council of WNY	\$5,000
Resurrection Village Ministry	\$5,000
Seneca Street CDC	\$10,000
Seneca-Babcock Community Association	\$10,000
The Belle Center	\$10,000
The Research Foundation for SUNY, Urban Studies	\$10,000
Town of Hamburg	\$10,000
Town of Tonawanda Youth & Recreation	\$10,000
True CDC	\$7,500
Tru-Way Community Center	\$7,500
University District CDA	\$7,500
Urban Christian Ministries	\$4,048
Valley Community Association	\$10,000
Village of Hamburg Recreation	\$2,614
West Side Community Services	\$10,000
Willie Hutch Jones Ed & Sports	\$7,500
YMCA Buffalo-Niagara	\$7,500
Young Audiences of WNY	\$7,500
YWCA of WNY	\$7,500
TOTAL	\$500,000

and be it further

RESOLVED, that after contracts are executed and filed, the Department of Social Services, Division of Budget and Management and Office of the Comptroller are authorized to effectuate future 2016 payments for these agencies for providing Operation Primetime services; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Social Services.

(6-0)

2. COMM. 10E-13 (2016)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment, upon the recommendation of the County Executive, of Veronica Golden, LMSW of 75 Beverly Rd., Buffalo, New York 14208 to serve on the Erie County Youth Services Board for a term ending June 1, 2018.
(6-0)

3. COMM. 10E-17 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of community based mental and behavioral health services for the residents of Erie County; and

WHEREAS, a 2016 budget appropriation was allocated to WNY Independent Living (WNY IL) for provision of Office of Mental Health services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) has informed the Erie County Department of Mental Health of a \$250,000 increase to its State Aid for fiscal year 2016 (annualized also to \$250,000 starting in 2017), with a quick time frame requirement for implementing the associated mental and behavioral health services; and

WHEREAS, in order to quickly implement these mental and behavioral health services, the Erie County Department of Mental Health recommends that the County immediately amend its contract with WNY IL for the provision of the targeted mental and behavioral health services related to the new OASAS funding; and

WHEREAS, no County funds will be necessary for Erie County to accept this state aid to serve individuals residing in Erie County; and

WHEREAS, \$250,000 in NYS OASAS funding is being appropriated to WNY IL for fiscal year 2016.

NOW, THEREFORE, BE IT

RESOLVED, that in order to implement programs intended to assist Erie County in fighting the Heroin/Opioid epidemic that the County is facing, the Department of Mental Health is authorized to immediately amend the agency contract of WNY IL; and be it further

RESOLVED, that the County Executive is hereby authorized to accept the NYS OASAS funding and amend the 2016 contract with WNY IL for a period commencing on or around April 1, 2016 (and annually thereafter); and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to process the following budgetary adjustment:

Cost Center 1241020, Fund 110

<u>Revenue</u>		<u>Increase</u>
406860	State Aid - OASAS	\$250,000

<u>Expense</u>		<u>Increase</u>
517859	WNY Independent Living ASA	\$250,000

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget and Management.

(6-0)

LYNNE M. DIXON
CHAIR

MS. DIXON moved to separate the appropriation to the Police Athletic League of Buffalo, and moved to approve the balance of item Number 1. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MS. DIXON moved to approve the appropriation to the Police Athletic League of Buffalo. MR. RATH seconded. MR. SAVAGE abstained.

CARRIED 10-0-1.

Item 84 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 100

June 2, 2016	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 8
--------------	--

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-14 (2016)
COMPTROLLER: “EC Charter Revision Proposals”
(6-0)
 - b. COMM. 9D-3 (2016)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”

(6-0)

c. COMM. 10M-6 (2016)

LEGAL AID BUREAU OF BUFFALO: “Documents Regarding 2013 & 2014 Financial Statements, Annual Reports and Board of Directors Meetings”

(6-0)

2. COMM. 10E-19 (2016)

COUNTY EXECUTIVE

WHEREAS, Honorable Gerald J. Whelan, Presiding Justice of the 4th Department Appellate Division, along with the New York State Office of Court Administration, has requested that Erie County locate office space to be used as local chambers for Erie County’s resident justices of the 4th Department; and

WHEREAS, pursuant to New York State Finance Law §54-j(1-a)(a), the County is entitled to one hundred percent reimbursement from New York State for the cost associated with providing facilities for the transaction of business by an appellate division; and

WHEREAS, on April 26, 2016, Erie County issued a request for proposals to provide commercial real estate brokerage services for purposes of locating such office space; and

WHEREAS, the RFP specified that the awarded proposer will work with prospective landlord(s) to establish a commission to be paid solely by the prospective landlord; and

WHEREAS, the County conducted a proposal review and HUNT Commercial Real Estate Corporation was the proposer which scored the highest; and

WHEREAS, the County Executive is requesting authorization from the Legislature to enter into an agreement with HUNT Commercial Real Estate Corporation to provide commercial brokerage services for the purposes enumerated herein.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with HUNT Commercial Real Estate Corporation for commercial real estate brokerage services at no cost to the County; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the County Attorney, and the Director of the Division of Budget and Management.

(6-0)

KEVIN R. HARDWICK
CHAIR

Item 85 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 101

June 2, 2016	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 9
--------------	--

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9E-7 (2016)
COMPTROLLER: "Performance Audit of Department of Public Works - Division of Fleet Services for Period Jan. 1, 2014 - Dec. 31, 2014"
(Chair's Motion)
 - b. COMM. 9E-8 (2016)
COMPTROLLER: "Interim Financial Report for Three-Month Period Ended Mar. 31, 2016"
(Chair's Motion)
 - c. COMM. 9D-2 (2016)
DEPARTMENT OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period Ending Mar. 2016"
(5-0) Legislator Miller-Williams not present for vote.
 - d. COMM. 10M-4 (2016)
NYS ASSOCIATION OF COUNTIES: "2016-2017 State Budget Impact Report for EC"
(Chair's Motion)
2. COMM. 1D-9 (2015)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and /or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 216097 through 216101, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR 2015

Petition No.

216,097.00

ASSESSOR Refund \$574.17
S-B-L 69.12-9-13 78 Thamesford Ln 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$574.17 Town/SpecialDist/School
Charge To : 142289 AMHERST \$574.17
Relevy School \$574.17 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply basic STAR
Refund to be issued to Jeffrey Dubzinski

FISCAL YEAR 2014 Petition No. 216,098.00

ASSESSOR Refund \$514.29
S-B-L 125.11-12-20 126 Steven Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$514.29 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$514.29
Relevy School \$514.29 146801 WEST SENECA

CENT

RPTL550(2): Failed to apply basic STAR
Refund to be issued to Jesse Konstabel

FISCAL YEAR 2015 Petition No. 216,099.00

ASSESSOR Refund \$5,250.00
S-B-L 125.11-12-50 126 Steven Dr 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$5,250.00 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$5,250.00
Relevy School \$5,250.00 146801 WEST SENECA

CENT

RPTL550(2): Failed to apply basic STAR
Refund to be issued to Jesse Konstabel

FISCAL YEAR 2016 Petition No. 216,100.00

ASSESSOR Cancel \$509.57
S-B-L 82.03-1-27.1 19 Wainwright Ct 145289 LANCASTER

	Acct. No. 112	\$131.10	County
	Acct. No. 132	\$378.47	Town/SpecialDist/School
52500	ERIE CO SEWER #4	\$50.37	
<u>Charge To :</u>	145289 LANCASTER		\$328.10

RPTL550(2): Duplicate entry
Delete parcel from tax roll

FISCAL YEAR 2015 Petition No. 216,101.00

OWNER Cancel \$0.00
S-B-L 175.05-1-16 710 Quaker Rd 142489 AURORA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	142489 AURORA		\$0.00

RPTL550(2): Incorrect assessment
Application denied
and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(6-0)

3. COMM. 7E-16 (2016)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Department of Public Works, Division of Information and Support Services and Division of Budget and Management have been working on projects to facilitate greater transparency and security in the County's Gasboy fueling system and the County's vehicle fleet; and

WHEREAS, the County has been working on a Gasboy upgrade project, including new software, hardware, server and the pump readers; and

WHEREAS, as a part of that project, and following investigations into County employees stealing gasoline from pumps, the County has been working on a project to install security cameras at Gasboy pumps; and

WHEREAS, to complete the project, the County needs \$80,000 for the purchase and installation of the cameras, as well as for the connectivity and digital image storage and to hire the contractor, U&S Services, off of a state contract; and

WHEREAS, the County has been using an outdated automatic vehicle locator ("ALV") system for some years to monitor the location of County vehicles; and

WHEREAS, the County conducted a review and desires to hire Verizon Wireless off of a state contract, to remove the existing old AVLs, and install new AVL devices; and

WHEREAS, the new AVL system will allow County managers to track and monitor the location and status of County vehicles at any time, including from smart phones or tablets; and

WHEREAS, to purchase and install the AVLs, the County needs \$61,000 in funding; and

WHEREAS, both initiatives will enhance security, accountability and transparency in Erie County government for those utilizing vehicles and accessing the fueling system.

NOW, THEREFORE BE IT

RESOLVED, that authorization is provided to the County Executive to retain U&S Services for the Gasboy security camera initiative off of a state contract; and be it further

RESOLVED, that authorization is provided to the County Executive to retain Verizon Wireless for the automatic vehicle locator initiative off of a state contract; and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to utilize \$141,000 in 2016 unanticipated revenue in Fund Center 14010, Account 400040, Other Payments in Lieu of Taxes as a funding source in 2016 in the amount of \$80,000 for the Gasboy security camera initiative and \$61,000 for the automatic vehicle locator initiative; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to make the necessary budgetary adjustments to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Public Works, and the Division of Information and Support Services.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 86 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 102

June 2, 2016	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 10
--------------	---

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.

TED B. MORTON
CHAIR

Item 87 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 103

June 2, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 10
--------------	---

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 10E-4 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable; and

WHEREAS, the United States Environmental Protection Agency (USEPA) provides grant assistance to state agencies to implement pollution prevention projects; and

WHEREAS, Empire State Development (ESD) applied to the USEPA and was awarded grant funds to support the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, ESD and USEPA named Erie County as a sub-awardee within that grant to receive \$179,630 in funding to assist businesses in reducing their environmental impact through the WNYSBR; and

WHEREAS, the Erie County Legislature authorized the County Executive to enter into an agreement with ESD and appropriate the revenue from ESD into the DEP SAP Grant Account: #162WNYSBR1416 (Comm. 21E-18 (2014)); and

WHEREAS, it is necessary to revise the existing budget and create two summer internship positions in accordance with the current project work plan and contractual requirements set forth by the granting agency.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget for the WNY Sustainable Business Roundtable Project is hereby revised in the DEP, Business Area 162, Fund 281 as follows:

Western New York Sustainable Business Roundtable Project Grant
SAP Grant Account #162WNYSBR1416
October 1, 2014 –September 30, 2016

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
414000	Federal Aid	(\$179,630)	\$0	(\$ 179,630)
TOTAL REVENUE				(\$ 179,630)

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
500000	Full Time Salaries	\$98,000	(\$5,300)	\$92,700
500030	Seasonal Emp Wages	\$0	\$5,870	\$5,870
502000	Fringe Benefits	\$62,230	\$14,255	\$76,485
505000	Office Supplies	\$400	(\$100)	\$300
510100	Out of Area Travel	\$2,000	(\$755)	\$1,245
516020	Professional Services			
	Contractual & Fees	\$16,000	(\$13,770)	\$2,230
530000	Other Expenses	<u>\$1,000</u>	<u>(\$200)</u>	<u>\$800</u>
TOTAL APPROPRIATIONS		\$179,630	\$0	\$179,630

and be it further

RESOLVED, that the following two (2) seasonal internship positions (not to exceed \$5,870 in total), for which sufficient funding is available through ESD grant funding for personal services and fringe benefits exists, will be created in the above grant:

Two (2) Seasonal Interns (JG-1)
B-100 No. 8682
Budgeted Annual Salary: \$5,870

and be it further

RESOLVED, that Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the

County Comptroller; the Commissioner of the Department of Environment and Planning; and the Deputy Commissioner of the Division of Environmental Compliance.

(6-0)

2. COMM. 10E-5 (2016)

COUNTY EXECUTIVE

WHEREAS, the November 2014 “Knife” snowstorm caused widespread damage to Erie County’s transportation infrastructure; and

WHEREAS, FEMA has approved Project Worksheet (PW) 371 listing transportation infrastructure work eligible for reimbursement under FEMA’s Public Assistance program as a result of the “Knife” snowstorm (the “Project”); and

WHEREAS, the consulting firms of CHA Consulting, Inc. (CHA) and Clark Patterson Lee (CPL) performed the post storm inspection, assessment and documentation of the damages for structures and roadways respectively and developed the cost estimates on which PW 371 is based: and

WHEREAS, both CHA and CPL are still under contract with the County for the inspection, documentation, and estimate phase of the work and are intimately familiar with the work required; and

WHEREAS, it is desired to amend the current engineering services contracts for both CHA and CPL to include design and construction phase engineering services; and

WHEREAS, it is anticipated that 75% of the cost of the engineering services contracts for both CHA and CPL will be eligible for full reimbursement from FEMA and that the remaining 25% of the engineering services contract costs will be eligible for full reimbursement from New York State

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to execute all necessary contract amendments for the November 2014 Winter Storm “Knife”, FEMA Disaster DR 4204, Consultant Services - Project Worksheet (PW) 371 Project with CHA Consulting, Inc. (CHA) and Clark Patterson Lee (CPL); and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payments to CHA and CPL respectively from SAP Fund 251, Fund Center 1231010, GL Account 516020 for an amount not to exceed the adjusted contract amounts of \$225,000.00 for CHA and \$275,000.00 for CPL; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

3. COMM. 10E-6 (2016)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works received bids for the Buffalo Niagara Convention Center – 2016 – Various Renovations to the Exhibit Hall project on March 3, 2016; and

WHEREAS, the Erie County Department of Public Works, along with the A/E firm, BHNT Architects, are recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Buffalo Niagara Convention Center – 2016 – Various Renovations to the Exhibit Hall project for an amount not to exceed as follows:

General Construction Work
Miller Enterprises, Inc

Base Bid:	\$ 97,000.00
Add Alternate No. 1	\$ 29,000.00
<u>Add Alternate No. 2</u>	<u>\$ 4,000.00</u>
Total Award Not to Exceed:	\$130,000.00

and be it further

RESOLVED, that the sum of \$15,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.13003 – 2013 Buffalo Niagara Convention Center	\$ 111,817.00
<u>A.14002 – 2014 Buffalo Niagara Convention Center</u>	<u>\$ 33,183.00</u>
For a total amount not to exceed:	\$ 145,000.00

;and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

4. COMM.10E-18 (2016)

COUNTY EXECUTIVE

WHEREAS, the Erie Community College City Campus Old Post Office building was constructed circa 1890, is listed on the State Historic Preservation Office register of historic

structures, and was renovated in the 1980's for use as a college facility. In the almost 40 years since its transformation, much of the exterior components of the building have deteriorated to the point where water is infiltrating the building and causing substantial damage to infrastructure; and

WHEREAS, in 2011 the Porte-cochère at the East side of the building and the main entrance at the West side were restored. This project will continue the work, reconstruct the North entrance of the building and make needed repairs to the South façade; and

WHEREAS, restoring the exterior components of this Gothic Revival architectural gem will preserve the building and its historic features for years to come as well as maintain public; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College City Campus – 2016 – Exterior Restoration - Old Post Office Masonry Repairs project on February 25, 2016; and

WHEREAS, the Erie County Department of Public Works, is recommending award of a contract to the lowest responsible bidder, along with the Architect; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for Erie Community College City Campus – 2016 - Exterior Restoration - Old Post Office Masonry Repairs project to Morris Masonry for General Construction Work for a total not to exceed \$629,750.00; and be it further

RESOLVED, that the sum of \$145,250.00 be allocated to the Construction Contingency Fund with authorization for the County Executive, to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project E.11004 2011 Erie Community College – Masonry Project – City Campus in the amount not to exceed \$775,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College, William Reuter, Director of Finance and the Office of the Comptroller.

(6-0)

5. **COMM. 10E-20 (2016)**
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works has received a cost proposal from DV Brown and Associates for the Rath Building – AHU Intake Louver Repair project; and

WHEREAS, DV Brown and Associates is the original installer of the louver and is familiar with the work involved because some of the equipment was not prefabricated, but rather customized by DV Brown; and

WHEREAS, as temperatures rise outside, increased moisture exists inside the building; and

WHEREAS, increased moisture can cause poor air quality for employees and can also potentially cause other mechanical problems; and

WHEREAS, the warmer weather, the challenge of air quality, and the potential for other mechanical problems creates an increased urgency with fixing the AHU Intake Louver Repair; and

WHEREAS, the County Executive is seeking authorization to award a contract to DV Brown and Associates as they customized and installed the equipment and are best prepared to fix the problem.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue a contract to DV Brown and Associates so the work can proceed for a total contract, including construction contingency, not to exceed \$25,000.00; and be it further

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of securing the services of DV Brown and Associates to be retained to provide services associated with the repair of air handling intake louvers, frame, and damper motor/ actuator and assembly at the Rath Building; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project Accounts as follows:

A.15003 – 2015 Countywide Code and Environmental Compliance	\$ 9,000.00
A.15005 – 2015 Countywide Mechanical, Electrical, and Plumbing Improvements	\$ 16,000.00
Total Payments Not to Exceed	\$ 25,000.00

; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

6. COMM. 10E-21 (2016)

COUNTY EXECUTIVE

WHEREAS, the existing door and window systems at Erie County Community College North Campus Bretschger Hall are 50 plus years old and leaking, causing damage to the building interior spaces and components; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, the Erie County Department of Public Works received bids for the Erie Community College North Campus - 2016 Bretschger Hall Door & Window Replacement project on March 7, 2016; and

WHEREAS, the Erie County Department of Public Works and its architect, is recommending award of a contract to the lowest responsible bidder; and

WHEREAS, removal of existing asbestos containing material requires NYS Certified Asbestos Project Monitoring Services to ensure contractor compliance per NYS ICR 56-9.1(d)(1); and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into an Agreement with Stohl Environmental, LLC to provide Environmental Consulting Services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Stohl Environmental, LLC to provide Abatement Monitoring Services during construction for the Erie Community College North Campus - 2016 Bretschger Hall Door & Window Replacement project; and

WHEREAS, the legislature has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with the architectural firm of BHNT Architects, PC for design related services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization from the Legislature to issue an Agreement Amendment to BHNT Architects, PC to cover additional costs incurred for hazardous materials testing during the masonry evaluation phase of the ongoing Erie Community College – North Campus Exterior Restoration Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College North Campus - 2016 Bretschger Hall Door & Window Replacement project as follows:

General Construction Work

Allstate General, Inc.	Base Bid:	\$ 370,000.00
Add 600 Wing	Alternate No. 1 Bid:	\$ 171,300.00
Add 500 Wing	Alternate No. 2 Bid:	\$ 360,700.00

Add 400 Wing	Alternate No. 3 Bid:	\$ 165,000.00
Add 300 Wing	Alternate No. 4 Bid:	\$ 379,000.00
Add 200 Wing	Alternate No. 5 Bid:	\$ 159,000.00
Add 100 Wing	Alternate No. 6 Bid:	<u>\$ 344,000.00</u>
	Total contract award not to exceed	\$1,949,000.00

; and be it further

RESOLVED, that the sum of \$351,000.00 be allocated to the Construction Contingency Fund with authorization for the County Executive, to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive be authorized to enter into an Agreement Amendment with Stohl Environmental, LLC for an amount not to exceed \$15,000.00; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of the BHNT Architects, PC to cover additional costs incurred for hazardous materials testing during the previous masonry evaluation phase of the ongoing Erie Community College – North Campus Exterior Restoration Project for an amount not to exceed \$6,810.00 including reimbursables; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for the above from SAP Project Accounts as follows:

E.15004 – 2015 ECC Code Compliance Collegewide	\$ 21,810.00
E.14003 – 2014 Window and Door Replacement Collegewide	\$ 939,808.40
<u>E.15003 – 2015 ECC Roof Replacement & Waterproofing Collegewide</u>	<u>\$1,360,191.60</u>
Total Amount Not To Exceed:	\$2,321,810.00

; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College (c/o William Reuter, CFO) and the Office of the Comptroller.

(6-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

Item 88 – MR. LORIGO presented the following resolution and moved for consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104

RE: Erie County Legislature to Provide Free
Notary Public Services
(INTRO. 11-1)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MORTON & MILLS

WHEREAS, the Erie County Legislature strives for the efficient delivery of county services to better serve the taxpayer; and

WHEREAS, notary publics commissioned in New York State function to administer oaths and affirmations, taking affidavits and depositions, receiving and certifying acknowledgments or proof of such written instruments as deeds, mortgages and powers of attorney, among other functions; and

WHEREAS, numerous documents to be filed with Erie County or New York State must be notarized; and

WHEREAS, a notary public may charge a fee for completing several notarial functions; and

WHEREAS, the Office of the Clerk of the Legislature located at 92 Franklin Street, 4th Floor in the City of Buffalo, NY is open regular business hours and could provide professional notary public services free of charge.

NOW, THEREFORE, BE IT

RESOLVED, the Clerk of the Legislature shall designate one or two staff members, who are qualified notary publics in the State of New York, to provide professional notary public services free of charge during regular business hours; and, be it further

RESOLVED, no Erie County funds are to be incurred to effectuate this resolution; and, be it further

RESOLVED, that one certified copy of this resolution be sent to the Clerk of the Legislature, Office of the County Executive, Office of the Comptroller, County Clerk, and the Office of the Sheriff.

MR. LORIGO moved to amend the item to include LEGISLATORS LORIGO, DIXON, HARDWICK & RATH as cosponsors. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 89 – MR. LORIGO presented the following resolution and moved for consideration.
MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

RE: Support for a Constitutional Amendment
Prohibiting Desecration of the US Flag
(INTRO. 11-2)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MORTON & MILLS

WHEREAS, Flag Day is June 14 and communities across the country will celebrate with public observances and displays to commemorate the 1775 adoption of the flag of the United States of America; and

WHEREAS, in light of decisions by the Supreme Court protecting the burning of the American Flag as freedom of expression, a Constitutional Amendment is needed to uphold the honor and presence of the U.S. flag; and

WHEREAS, all Americans should respect our right to dissent, but the burning of the U.S. flag should not be allowed under the banner of legal dissent through first amendment protections; and

WHEREAS, an amendment to the Constitution is in order to allow Congress to protect the U.S. flag from those who would seek to destroy it as a form of political protest.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the Congress of the United States to propose and approve a Constitutional amendment that would prohibit persons from desecrating, burning or defiling in any way the flag of the United States of America; and, be it further

RESOLVED, that such an amendment to the U.S. Constitution would allow for the imposition of severe penalties for any act of destroying the flag of the United States as a political statement of dissent or other form of expression; and, be it further

RESOLVED, that this Body urges the Congressional delegation for Western New York and the U.S. Senators from New York to work toward passage of an amendment that would protect our flag from dissenters who would defile and abuse it; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York Congressional delegations and any other party deemed necessary and proper.

MR. LORIGO moved to amend the item to include LEGISLATOR RATH as a cosponsor.
MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded. MR. BURKE, MS. MILLER-WILLIAMS and MR. SAVAGE voted in the negative.

CARRIED 8-3.

Item 90 – CHAIR MILLS directed that the following item be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO. 11-3 from LEGISLATORS MILLS & MORTON. EC Agricultural District Nos. 2 , 4, 8 & 9 Recertification.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 91 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of INTRO. 10-59. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 106

RE: Improving Erie County's Childhood
Lead Poisoning Prevention Program
(INTRO. 10-59, 2016)

WHEREAS, Erie County has the highest rate of childhood lead poisoning in the nation with fourteen percent of our children having elevated levels of lead detected in blood samples; and

WHEREAS, the long term health consequences of lead poisoning are well documented and impact not only the affected child and their family but the community as a whole; and

WHEREAS, the Erie County Legislature is committed to improving the efficacy of Erie County's lead poisoning prevention program; and

WHEREAS, of the 85,000 homes that require lead inspection, 2,000-2500 homes are inspected each year, which would take over to forty years to address at the current rate; and

WHEREAS, of the homes inspected, it is estimated that health inspectors only gain interior access twenty-five percent of the time, leaving approximately seventy-five percent of inspections limited to exterior analysis, which may provide incorrect information regarding the presence of lead in homes across Erie County; and

WHEREAS, this is also a significant problem in one and two family apartments which are not subject to state requirements regarding the presence of lead in the building.

NOW, THEREFORE, BE IT

RESOLVED, that all municipalities wishing to utilize Erie County lead inspection services must establish a policy that allows for inspectors to gain access into the home; and

RESOLVED, that Erie County Department of Social Services withhold financial assistance to landlords who do not allow reasonable access to their property for the purposes of a lead inspection; and

RESOLVED, that the Clerk of the Legislature forward certified copies of this resolution to the Erie County Executive, the Honorable Mark Poloncarz; Commissioner of Social Services, AI Dirschberger; all supervisors and mayors of towns, villages and cities within Erie County, and any other party deemed necessary and proper.

MR. LORIGO moved to amend the item. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Add the following as the seventh and eighth WHEREAS clauses:

WHEREAS, the Spiegel Law authorizes local social services agencies to withhold from a property owner assistance designated for rent through the Family Assistance or Safety Net Assistance programs when an agency recipient is paying rent in a building with conditions deemed by law as “dangerous, hazardous, or detrimental to life or health,” and

WHEREAS, Broome County and Monroe County both use the Spiegel Law to expedite remediation of lead-based paint hazards at properties.

Delete the first RESOLVED clause.

Delete the second RESOLVED clause and replace with the following:

RESOLVED, the Department of Social Services is directed to analyze its power under the Spiegel Law to compel property owners to allow inspections of their property and/or remediate lead based-paint hazards at the property, and report back to the Legislature’s Finance and Management Committee; and be it further

MR. LORIGO moved to approve the item as amended. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 92 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 11-4 from LEGISLATORS RATH & MORTON. Re: Supporting a Simplification of New York's Tax Code

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 93 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 11-5 from LEGISLATORS DIXON, MILLS, LORIGO, RATH, HARDWICK, MORTON, LOUGHRAN, SAVAGE, BURKE, MILLER-WILLIAMS & GRANT. Re: Urging New York State to Act on Anti-Heroin Legislation

MR. LORIGO moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
DIXON, MILLS, LORIGO, RATH, HARDWICK, MORTON,
LOUGHRAN, SAVAGE, BURKE, MILLER-WILLIAMS & GRANT

WHEREAS, Erie County is expecting to see well over five hundred people die in Erie County from opioid overdoses in 2016 alone, this number, large in itself, is only a fraction of the people who are impacted by opioid and heroin addiction; and

WHEREAS, action must be taken by the state to address the issue of opioid and heroin addiction to help protect the members of our community affected by this social and medical issue; and

WHEREAS, there have been many different courses of action to combat this epidemic proposed; including, limiting access to opiate based pain reducers by restricting doctor's ability to prescribe them or by requiring that health insurance providers cover rehabilitation treatment options; and

WHEREAS, the problem with opioid abuse and addiction is that it is a complex problem that will probably not be addressed with one catch all solution; however, doing nothing is not an option at this point; and

WHEREAS, leaders of the State Legislature met this week with Governor Andrew M. Cuomo to specifically deal with this crisis and to address the concerns members of both houses of the Legislature have; and

WHEREAS, the time to address the opioid epidemic has already passed, we need our state representatives to act now.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby urges the New York State Legislature and Governor Andrew M. Cuomo work to address the opioid crisis impacting the lives of residents across the state before the close of the 2016 Legislative year; and, be it further

RESOLVED, that certified copies of this resolution be sent to Assembly Speaker Carl Heastie, Senate Majority Leader John Flanagan, the Western New York delegation to the New York State Senate and Assembly, Governor Andrew M. Cuomo, and any party deemed necessary and proper.

Item 94 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 11-6 from LEGISLATORS MILLS, LORIGO, RATH, DIXON, MORTON & HARDWICK. Re: Support for State Legislation Requiring New York State to Properly Fund Mandates

MR. LORIGO moved for consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 108

A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MILLS, LORIGO,
RATH, DIXON, MORTON & HARDWICK

WHEREAS, mandates passed by New York State are largely funded with taxes levied by local municipalities and as a result many municipalities across our state are struggling to properly fund the mandated programs, support local needs, and fight against the current tax climate in our state, which is among the most burdensome in the nation; and

WHEREAS, in 2015 nine state mandates consumed 99% of the property taxes levied by counties outside of New York City severely limiting the locally tailored programs that municipalities and school districts and offer their residents; and

WHEREAS, Bill S.2295 (2015) would require the state to fully fund any program which imposes a mandate upon municipal corporations or school districts; and

WHEREAS, this Bill was recently passed by the New York State Senate and is awaiting consideration in the New York State Assembly; and

WHEREAS, on June 16th the New York State Legislature breaks for this year without guaranteeing full funding for the multitude of state mandated programs that have crippled many counties outside of New York City; and

WHEREAS, passage of this Bill is desperately needed to ensure municipalities can rely on the state properly funding mandated services and allow them to focus on their specific local requirements; and

WHEREAS, forcing the state to properly fund its own mandated programs will help municipalities and school districts make financial decisions based off of their own local needs and to allow many to lower taxes making them more business friendly.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby urges the New York State Assembly and Governor Cuomo to act on Bill S.2295 (2015) during the remainder of the 2016 Legislative calendar; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation for the New York State Assembly, Governor Andrew Cuomo, and any party deemed necessary and proper.

MR. LORIGO moved to amend the item to include LEGISLATOR MILLER-WILLIAMS as a cosponsor. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 95 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-22 from the COUNTY EXECUTIVE. Re: Department of Central Police Services - Justice Assistance 2016 Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 96 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 11E-23 from LEGISLATOR SAVAGE. Re: Abstention from Vote Regarding Police Athletic League Funding

Received, filed and printed.

June 9, 2016

Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin St., 4th Fl.
Buffalo, NY 14202

RE: 6-9-16 Abstention on Buffalo Police Athletic League Funding

Dear Ms. McCarthy:

Pursuant to Rule 2.21 of the Erie County Legislature Rules of Order and Section 5b of Erie County Local Law No. 10-1989, my abstention to the vote concerning the above was to avoid any possible conflict of interest.

Sincerely,
PETER J. SAVAGE III
Peter J. Savage, III
Erie County Legislator – 3rd District

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR MILLS

Item 97 – (COMM. 11E-1) Letter to Clerk of the Legislature Calling a Public Hearing Regarding Proposed Recommendations to Revise the EC Charter

Received, filed and printed.

June 1, 2016

Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that I want to call a Public Hearing to hear public comment on the Erie County Charter Revision Commission's recommended changes to the County Charter that were submitted to the Legislature as Intro. 10-1 (2016) thru and including Intro. 10-56 (2016).

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 5:30 p.m. on Thursday, June 9, 2016 in the Erie County Legislature Chambers, located on the 4th floor of Old County Hall, 92 Franklin Street in the City of Buffalo.

Thank You for your attention to this matter.

Sincerely,
JOHN J. MILLS
John J. Mills, Chair
Erie County Legislature

Item 98 – (COMM. 11E-2) Letter to Clerk of the Legislature Regarding Paper Usage

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 99 – (COMM. 11E-3) EC Sewer District Nos. 1, 4 & 5 Engineer Term Contract Agreement - URS-6

Item 100 – (COMM. 11E-4) EC Sewer District No. 2 - Engineer Term Contract Agreement - DA-7

The above two items were received and filed.

Item 101 – (COMM. 11E-5) Proposed 2016-2017 Erie Community College Budget

Item 102 – (COMM. 11E-6) OPEN ITEM: ECC - STEM Building

Item 103 – (COMM. 11E-7) ECC North Campus - 2015 Dry Memorial Library Roof Replacement

Item 104 – (COMM. 11E-8) ECC City Campus - 2016 Old Post Office Hot Water Heater Replacement

The above four items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 105 – (COMM. 11E-9) Locally Administered Federal Aid Project - NYSDOT Supplemental Agreement No. 1 - Replacement of Salt Rd Bridges Over Beeman Creek, Town of Clarence

Item 106 – (COMM. 11E-10) Award of Construction and Construction Inspection for Replacement of Salt Rd Bridges Over Beeman Creek, Town of Clarence

Item 107 – (COMM. 11E-11) Right-of-Way Acquisition - Replacement of Salt Rd Bridges Over Beeman Creek, Town of Clarence

Item 108 – (COMM. 11E-12) Penora St Reconstruction and Turnover to the Town of Lancaster

Item 109 – (COMM. 11E-13) Department of Environment & Planning - Contract with the ECIDA for Rehabilitation of a County Owned Railroad Bridge Over Transit Rd, Village of Depew

Item 110 – (COMM. 11E-14) Department of Environment & Planning - Contract with the ECIDA for Rehabilitation of a County Owned Railroad Bridge Over Rush Creek, Town of Hamburg

The above six items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 111 – (COMM. 11E-15) Department of Parks - Proposed Project Design for Multi-Generational Exercise Recreation Area at Como Lake Park

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 112 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RE: EC Sewer District Nos. 1-5 - Sewer District Extensions - Current Out of District Customers

RESOLUTION NO. 109

RESOLUTION DATED JUNE 9, 2016

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 1 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) June 9, 2016.

(Adopted) June 9, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law and more particularly a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 1 Board of Managers on October 2, 2015, an extension of Sewer District No. 1 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 1, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 1 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned between real property in the District in the towns of Cheektowaga and West Seneca in accordance with their respective proportionate shares of equalized assessed value in the District and in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 1 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 1 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend Erie County Sewer District No. 1 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in, substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed extension of Erie County Sewer District No. 1 in said County.

The proposed extension of said Erie County Sewer District No. 1 will include sanitary sewer service areas currently serviced as out of district customers, and shall be substantially in conformity with and pursuant to a Sewer Agency Report as prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer District No. 1 Board of Managers on October 2, 2015.

The proposed extension of the Erie County Sewer District No. 1 shall comprise the areas including current out of district customers with sanitary sewer systems which are currently privately owned, operated and maintained as more fully described in said Sewer Agency Report on file for public viewing at office of the Clerk of the County Legislature.

No additional capital improvements are proposed to be constructed and no additional capital costs are to be incurred by or on behalf of the Erie County Sewer District No. 1 in connection with such extension, but future annual charges will be apportioned between real property in the District in the towns of Cheektowaga and West Seneca in accordance with their respective proportionate shares of equalized assessed value in the District, and in accordance with applicable flat charges, and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Dated: Buffalo, New York,
June 9, 2016.

BY ORDER OF THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE, NEW YORK

By _____
Karen M. McCarthy
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", official newspapers of said County, and in the "West Seneca Pennysaver", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

RESOLUTION NO. 110

RESOLUTION DATED JUNE 9, 2016

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF
CONSIDERING A PROPOSED EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 2
IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) June 9, 2016.

(Adopted) June 9, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law and more particularly a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 2 Board of Managers on October 8, 2015, an extension of Sewer District No. 2 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 2, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 2 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 2 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 2 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend Erie County Sewer District No. 2 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in, substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed extension of Erie County Sewer District No. 2 in said County.

The proposed extension of said Erie County Sewer District No. 2 will include sanitary sewer service areas currently serviced as out of district customers, and shall be substantially in conformity with and pursuant to a Sewer Agency Report as prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer District No. 2 Board of Managers on October 8, 2015.

The proposed extension of the Erie County Sewer District No. 2 shall comprise the areas including current out of district customers with sanitary sewer systems which are currently privately owned, operated and maintained as more fully described in said Sewer Agency Report on file for public viewing at office of the Clerk of the County Legislature.

No additional capital improvements are proposed to be constructed and no additional capital costs are to be incurred by or on behalf of the Erie County Sewer District No. 2 in connection with such extension, but future annual charges will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time.

Dated: Buffalo, New York,
June 9, 2016.

BY ORDER OF THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE, NEW YORK

By _____
Karen M. McCarthy
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", official newspapers of said County, and in the "Angola Pennysaver", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

RESOLUTION NO. 111

RESOLUTION DATED JUNE 9, 2016.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF
CONSIDERING A PROPOSED EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 3
IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) June 9, 2016.

(Adopted) June 9, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law and more particularly a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 3 Board of Managers on December 9, 2015, an extension of Sewer District No. 3 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer

District No. 3, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 3 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 3 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 3 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend Erie County Sewer District No. 3 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in, substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed extension of Erie County Sewer District No. 3 in said County.

The proposed extension of said Erie County Sewer District No. 3 will include sanitary sewer service areas currently serviced as out of district customers, and shall be substantially in conformity with and pursuant to a Sewer Agency Report as prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer District No. 3 Board of Managers on December 9, 2015.

The proposed extension of the Erie County Sewer District No. 3 shall comprise the areas including current out of district customers with sanitary sewer systems which are currently privately owned, operated and maintained as more fully described in said Sewer Agency Report on file for public viewing at office of the Clerk of the County Legislature.

No additional capital improvements are proposed to be constructed and no additional capital costs are to be incurred by or on behalf of the Erie County Sewer District No. 3 in connection with such extension, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Dated: Buffalo, New York,
June 9, 2016.

BY ORDER OF THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE, NEW YORK

By _____
Karen M. McCarthy
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", official newspapers of said County, and in "The Sun", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

RESOLUTION NO. 112

RESOLUTION DATED JUNE 9, 2016.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF
CONSIDERING A PROPOSED EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 4
IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) June 9, 2016.

(Adopted) June 9, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law and more particularly a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 4 Board of Managers on October 7, 2015, an extension of Sewer District No. 4 of the County of Erie, New York has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 4, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 4 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 4 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 4 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend Erie County Sewer District No. 4 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in, substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed extension of Erie County Sewer District No. 4 in said County.

The proposed extension of said Erie County Sewer District No. 4 will include sanitary sewer service areas currently serviced as out of district customers, and shall be substantially in conformity with and pursuant to a Sewer Agency Report as prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer District No. 4 Board of Managers on October 7, 2015.

The proposed extension of the Erie County Sewer District No. 4 shall comprise the areas including current out of district customers with sanitary sewer systems which are currently privately owned, operated and maintained as more fully described in said Sewer Agency Report on file for public viewing at office of the Clerk of the County Legislature.

No additional capital improvements are proposed to be constructed and no additional capital costs are to be incurred by or on behalf of the Erie County Sewer District No. 4 in connection with such extension, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Dated: Buffalo, New York,
June 9, 2016.

BY ORDER OF THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE, NEW YORK

By _____
Karen M. McCarthy
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", official newspapers of said County, and in the "Cheektowaga Bee", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

RESOLUTION NO. 113

RESOLUTION DATED JUNE 9, 2016.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF
CONSIDERING A PROPOSED EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 5
IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) June 9, 2016.

(Adopted) June 9, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law and more particularly a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 5 Board of Managers on October 14, 2015, an extension of Sewer District No. 5 of the County of Erie, New York has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 5, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 5 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 5 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 5 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend Erie County Sewer District No. 5 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in, substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed extension of Erie County Sewer District No. 5 in said County.

The proposed extension of said Erie County Sewer District No. 5 will include sanitary sewer service areas currently serviced as out of district customers, and shall be substantially in conformity with and pursuant to a Sewer Agency Report as prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer District No. 5 Board of Managers on October 14, 2015.

The proposed extension of the Erie County Sewer District No. 5 shall comprise the areas including current out of district customers with sanitary sewer systems which are currently privately owned, operated and maintained as more fully described in said Sewer Agency Report on file for public viewing at office of the Clerk of the County Legislature.

No additional capital improvements are proposed to be constructed and no additional capital costs are to be incurred by or on behalf of the Erie County Sewer District No. 5 in connection with such extension, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Dated: Buffalo, New York,
June 9, 2016.

BY ORDER OF THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE, NEW YORK

By _____
Karen M. McCarthy
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", official newspapers of said County, and in the "Clarence Bee", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

FROM THE COMPTROLLER

Item 113 – (COMM. 11E-17) Update on County Finances

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 114 – (COMM. 11E-18) Veterans' Service Agency - Buffalo Vet Center Shelter Rental Fee Waivers

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 115 – (COMM. 11E-19) Department of Health - Authorization to Enter Into Contract with Ecology and Environment Inc - User Training Class

Item 116 – (COMM. 11E-20) Department of Senior Services - Authorization to Contract with St. John's Community Church for the Creation of a Congregate Dining Site

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR DIXON

Item 117 – (COMM. 11E-21) Letter to Commissioner of Health Regarding Spread of the Zika Virus

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 118 – (COMM. 11D-1) Notice of Public Hearing Regarding Proposed Recommendations to Revise the EC Charter

Item 119 – (COMM. 11D-2) Comments Received Regarding LL Intro. 2-3 (2016)

The above two items were received and filed.

FROM THE DEPARTMENT OF BUDGET & MANAGEMENT

Item 120 – (COMM. 11D-3) Letter Regarding 2015 Budget Balancing Amendments

Received and filed.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 121 – (COMM. 11D-4) EC Agricultural District Nos. 2 , 4, 8 & 9 - Eight-Year Review and District Consolidation Report

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 122 – (COMM. 11D-5) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF BUDGET & MANAGEMENT

Item 123 – (COMM. 11D-6) Budget Monitoring Report for Period Ending Apr. 2016

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 124 – (COMM. 11D-7) Response Letter to Chair Mills Regarding County Attorney's Legal Opinions Concerning Status of Legislator Lorigo

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 125 – (COMM. 11M-1) Mar. 24, 2016 Board Minutes

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE MWBE UTILIZATION ADVISORY BOARD

Item 126 – (COMM. 11M-2) Jan. 25, 2016 Meeting Minutes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 127 – CHAIR MILLS announced a public hearing regarding the Erie County Charter Revision Commission's recommendations will be held June 9, 2016 at 5:30 p.m. in the Legislative Chambers of the Erie County Legislature.

Item 128 – CHAIR MILLS announced the committee schedule for June 16, 2016 has been distributed.

Item 129 – CHAIR MILLS announced the next regularly scheduled legislative session is June 23, 2016.

Item 130 – LEGISLATOR MILLER-WILLIAMS announced a tour of the Jesse E. Nash Health Center, 608 William St., Buffalo, in reference to the maintenance and upkeep of the facility on June 15, 2016 at 1:30 p.m.

MEMORIAL RESOLUTIONS

Item 131 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Cheryl Calhoon, Thomas J. Connolly, Shannon L. Covert, Paula Marie Hughes, Ruth Moleski, Mark C. White and Lawrence A. Wroblewski.

Item 132 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Thomas J. Connolly, Joan Drexelius and Thomas J. Kelly.

Item 133 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Shawn R. Jenkins, Francis Mae Johnson, Davaron Rashad Jordan.

Item 134 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of William A. Green.

Item 135 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Kaaren J. Metcalf, Ph.D.

Item 136 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Christine M. Chamberlin.

ADJOURNMENT

Item 137 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, June 23, 2016 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, June 23, 2016 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE